

106TH CONGRESS
1ST SESSION

S. 1260

To make technical corrections in title 17, United States Code, and other laws.

IN THE SENATE OF THE UNITED STATES

JUNE 22, 1999

Mr. HATCH (for himself and Mr. LEAHY) introduced the following bill; which was read twice and referred to the Committee on the Judiciary

A BILL

To make technical corrections in title 17, United States Code, and other laws.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. TECHNICAL CORRECTIONS TO TITLE 17,**
4 **UNITED STATES CODE.**

5 (a) EXEMPTION OF CERTAIN PERFORMANCES AND
6 DISPLAYS ON EXCLUSIVE RIGHTS.—Section 110(5) of
7 title 17, United States Code, is amended—

8 (1) by striking “(A) a direct charge” and in-
9 serting “(i) a direct charge”; and

1 (2) by striking “(B) the transmission” and in-
 2 serting “(ii) the transmission”.

3 (b) EPHEMERAL RECORDINGS.—Section 112(e) of
 4 title 17, United States Code, is amended—

5 (1) by redesignating paragraphs (3) through
 6 (10) as paragraphs (2) through (9), respectively;

7 (2) in paragraph (3), as so redesignated, by
 8 striking “(2)” and inserting “(1)”;

9 (3) in paragraph (4), as so redesignated—

10 (A) by striking “(3)” and inserting “(2)”;

11 (B) by striking “(4)” and inserting “(3)”;

12 (C) by striking “(6)” and inserting “(5)”;

13 and

14 (D) by striking “(3) and (4)” and insert-
 15 ing “(2) and (3)”;

16 (4) in paragraph (6), as so redesignated—

17 (A) by striking “(4)” each place it appears
 18 and inserting “(3)”;

19 (B) by striking “(5)” each place it appears
 20 and inserting “(4)”.

21 (c) DETERMINATION OF REASONABLE LICENSE
 22 FEES FOR INDIVIDUAL PROPRIETORS.—Chapter 5 of title
 23 17, United States Code, is amended—

24 (1) by redesignating the section 512 entitled

25 **“Determination of reasonable license fees**

1 **for individual proprietors**” as section 513
 2 and placing such section after the section 512 enti-
 3 tled “**Limitations on liability relating to**
 4 **material online**”; and

5 (2) in the table of sections at the beginning of
 6 that chapter by striking

“512. Determination of reasonable license fees for individual proprietors.”

7 and inserting

“513. Determination of reasonable license fees for individual proprietors.”

8 and placing that item after the item entitled

“512. Limitations on liability relating to material online.”.

9 (d) ONLINE COPYRIGHT INFRINGEMENT LIABIL-
 10 ITY.—Section 512 of title 17, United States Code, is
 11 amended—

12 (1) in subsection (e)—

13 (A) by amending the caption to read as
 14 follows:

15 “(e) LIMITATION ON LIABILITY OF NONPROFIT EDU-
 16 CATIONAL INSTITUTIONS.—”; and

17 (B) in paragraph (2), by striking “IN-
 18 JUNCTIONS.—”; and

19 (2) in paragraph (3) of subsection (j), by
 20 amending the caption to read as follows:

21 “(3) NOTICE AND EX PARTE ORDERS.—”.

22 (e) INTEGRITY OF COPYRIGHT MANAGEMENT INFOR-
 23 MATION.—Section 1202(e)(2)(B) of title 17, United

1 States Code, is amended by striking “category or works”
 2 and inserting “category of works”.

3 (f) PROTECTION OF DESIGNS.—(1) Section 1302(5)
 4 of title 17, United States Code, is amended by striking
 5 “1 year” and inserting “2 years”.

6 (2) Section 1320(c) of title 17, United States Code,
 7 is amended in the subsection caption by striking “AC-
 8 KNOWLEDGEMENT” and inserting “ACKNOWLEDGMENT”.

9 **SEC. 2. OTHER TECHNICAL CORRECTIONS.**

10 (a) CLERICAL AMENDMENT TO TITLE 28, U.S.C.—
 11 The section heading for section 1400 of title 28, United
 12 States Code, is amended to read as follows:

13 **“§ 1400. Patents and copyrights, mask works, and de-**
 14 **signs”.**

15 (b) ELIMINATION OF CONFLICTING PROVISION.—
 16 Section 5316 of title 5, United States Code, is amended
 17 by striking “Commissioner of Patents, Department of
 18 Commerce.”.

19 (c) CLERICAL CORRECTION TO TITLE 35, U.S.C.—
 20 Section 3(d) of title 35, United States Code, is amended
 21 by striking “, United States Code”.

